UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

KEVIN JULIAN RIZZI,)
Appellant,) Case No.: 2:24-cv-00503-GMN
VS.	ORDER DISMISSING APPEAL
CHRISTOPHER PALMS, LLC, et al.,) WITHOUT PREJUDICE
Appellees.)

On May 1, 2024, the Court issued an Order to Show Cause, (ECF No. 9), requiring Appellant Kevin Julian Rizzi to explain why he failed to perfect his appeal pursuant to Federal Rule of Bankruptcy Procedure 8009. The Court gave Appellant until May 15, 2024, to file a written response, and advised him that his failure to perfect his appeal or show adequate cause would result in dismissal of his appeal. *Id.* The deadline has now passed, and the Court has not received a response.

Accordingly, the Court finds that considering Appellant's "failure to perfect his appeal and his failure to comply with this Court's Order to Show Cause, that there is no less drastic sanction available, and that the appeal must be **DISMISED WITHOUT PREJUDICE**." *Pan v. Ralph Partners II, LLC*, No. 18-cv-04444, 2018 WL 3861804, at *1 (N.D. Cal. Aug. 14, 2018); *see also Ferdik v. Bonzelet*, 963 F.2d 1258, 1261-61 (9th Cir. 1992) (consideration of alternatives is satisfied where the court expressly warned that failure to abide by a court order will result in dismissal); *In re Marsh*, 19 F. App'x 727, 729 (9th Cir. 2001) (holding that a three-month delay in designating the record on appeal was an "inexcusably flagrant violation of the court's rules" and warranted dismissal).

The Clerk of Court is kindly instructed to close this appeal and send a copy of this Order to the United States Bankruptcy Court for the District of Nevada for filing in BK-23-150970-hlb and Adv. 23-01160-hlb. **DATED** this day of May, 2024. Gloria M. Navarro, District Judge UNITED STATES DISTRICT COURT